

109TH CONGRESS
1ST SESSION

H. R. 3784

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2005

Received; read twice and referred to the Committee on Health, Education,
Labor, and Pensions

AN ACT

To temporarily extend the programs under the Higher
Education Act of 1965, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Higher Education Ex-
3 tension Act of 2005”.

4 **SEC. 2. EXTENSION OF PROGRAMS.**

5 (a) **EXTENSION OF DURATION.**—The authorization
6 of appropriations for, and the duration of, each program
7 authorized under the Higher Education Act of 1965 (20
8 U.S.C. 1001 et seq.) shall be extended through December
9 31, 2005.

10 (b) **PERFORMANCE OF REQUIRED AND AUTHORIZED**
11 **FUNCTIONS.**—If the Secretary of Education, a State, an
12 institution of higher education, a guaranty agency, a lend-
13 er, or another person or entity—

14 (1) is required, in or for fiscal year 2004, to
15 carry out certain acts or make certain determina-
16 tions or payments under a program under the High-
17 er Education Act of 1965, such acts, determinations,
18 or payments shall be required to be carried out,
19 made, or continued during the period of the exten-
20 sion under this section; or

21 (2) is permitted or authorized, in or for fiscal
22 year 2004, to carry out certain acts or make certain
23 determinations or payments under a program under
24 the Higher Education Act of 1965, such acts, deter-
25 minations, or payments are permitted or authorized

1 to be carried out, made, or continued during the pe-
2 riod of the extension under this section.

3 (c) EXTENSION AT CURRENT LEVELS.—The amount
4 authorized to be appropriated for a program described in
5 subsection (a) during the period of extension under this
6 section shall be the amount authorized to be appropriated
7 for such program for fiscal year 2004, or the amount ap-
8 propriated for such program for such fiscal year, which-
9 ever is greater. Except as provided in any amendment to
10 the Higher Education Act of 1965 enacted during fiscal
11 year 2005 or 2006, the amount of any payment required
12 or authorized under subsection (b) in or for the period
13 of the extension under this section shall be determined in
14 the same manner as the amount of the corresponding pay-
15 ment required or authorized in or for fiscal year 2004.

16 (d) ADVISORY COMMITTEES AND OTHER ENTITIES
17 CONTINUED.—Any advisory committee, interagency orga-
18 nization, or other entity that was, during fiscal year 2004,
19 authorized or required to perform any function under the
20 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.),
21 or in relation to programs under that Act, shall continue
22 to exist and is authorized or required, respectively, to per-
23 form such function for the period of the extension under
24 this section.

1 (e) ADDITIONAL EXTENSION NOT PERMITTED.—Sec-
2 tion 422 of the General Education Provisions Act (20
3 U.S.C. 1226a) shall not apply to further extend the au-
4 thorization of appropriations for any program described
5 in subsection (a) on the basis of the extension of such pro-
6 gram under this section.

7 (f) EXCEPTION.—The programs described in sub-
8 section (a) for which the authorization of appropriations,
9 or the duration of which, is extended by this section in-
10 clude provisions applicable to institutions in, and students
11 in or from, the Freely Associated States, except that those
12 provisions shall be applicable with respect to institutions
13 in, and students in or from, the Federated States of Mi-
14 cronesia and the Republic of the Marshall Islands only to
15 the extent specified in Public Law 108–188.

Passed the House of Representatives September 20,
2005.

Attest:

JEFF TRANDAHL,

Clerk.